

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
)

Rules and Regulations Implementing)
Minimum Customer Account Record)
Exchange Obligations on All Local and)
Interexchange Carriers)
_____)

CG Docket No. 02-386

COMMENTS OF AT&T CORP.

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Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, AT&T Corp. ("AT&T") submits these comments in response to the Commission's Further Notice of Proposed Rulemaking ("*FNPRM*") in the above-entitled proceeding, which seeks comment on issues relating to the exchange of customer account information between local exchange carriers ("LECs"). In particular, the *FNPRM* asks whether LECs are experiencing problems with the exchange of customer information between or among LECs and CLECs and whether mandating the exchange of customer account information among LECs and CLECs would reduce the problems identified by BellSouth.¹ See *FNPRM* ¶ 77. The Commission also seeks comment on what information is necessary to ensure the seamless transfer of customers. *Id.* ¶ 78. Further, the Commission seeks comment broadly on the interplay between state rules that have

¹ See BellSouth *Ex Parte* "Minimum Standards for Local-to-Local Carrier Changes", October 28, 2004, filed in CG Docket No. 02-386.

already established guidelines for end user migration and any federal rules the Commission may adopt in this area. *Id.* ¶ 79. The Commission also asks the industry whether it should consider adopting standards for timeliness. *Id.* ¶ 80. Finally, the Commission asks for comment regarding what format the information should be provided, including whether to mandate the exchange of information without requiring the use of specific CARE codes. *Id.* ¶ 81.²

INTRODUCTION AND SUMMARY

AT&T encourages the Commission to take action here similar to that taken in its recent adoption of rules requiring the exchange of customer account information between LECs and interexchange carriers (“IXCs”),³ in which it established mandatory, minimum standards governing the exchange of customer account information between all LECs and all IXCs. AT&T believes this is good public policy and is in the best interests of all consumers.

In order for carriers to have the information they need to serve and bill customers properly, they must have access to a basic core of data regarding each account at or very soon after the account is established. AT&T thus wholeheartedly supports the Commission’s efforts to adopt national information exchange requirements for all LECs.

² *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, CG Docket No. 02-386, Further Notice of Proposed Rulemaking, FCC 05-29, released February 25, 2005 (“*FNPRM*”). A summary of the *FNPRM* was published in the Federal Register on June 1, 2005. See 70 Fed. Reg. 31406.

³ *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, CG Docket No. 02-386, Report & Order, FCC 05-29, released February 25, 2005 (“*CARE Order*”).

Such requirements are critical in order to ensure that customers who switch local service providers experience a seamless and timely transition to their carrier of choice.

Not surprisingly, as regulators created rules to support the introduction of competition in local exchange markets, they focused their efforts on defining the relationship between incumbent local exchange carriers (“ILECs”) and competitive local exchange carriers (“CLECs”). In that context, they devoted special attention to guaranteeing the creation of robust systems and requirements to facilitate the movement of customers from ILECs to CLECs. Unfortunately, except for the application of local number portability (“LNP”) obligations to all facilities-based carriers and local service freezes, little effort was dedicated to establishment of rules that ensure that the information flows established for customer migrations from an ILEC to a CLEC were also applied to customer migrations between CLECs or from a CLEC to an ILEC. As a result, today carriers must still rely on little more than luck and the good will of their competitors to ensure that customers can make such changes timely and painlessly. Clearly, this is unfair to both customers and LECs. It does nothing to support the competitive marketplace and customers will continue to be adversely affected until all LECs operate under uniform rules. In addition, the introduction of number portability for wireless carriers and the anticipation of other changes in the provision of voice communications and other information services have further complicated the landscape. *See infra* Section I.

While both the industry⁴ and state regulators⁵ have recognized this problem and begun to address it, the appropriate solution lies in a single, comprehensive approach. Therefore, the Commission's decision to examine these issues holistically here is especially appropriate. AT&T strongly encourages the Commission to establish nationwide requirements that would require all carriers, wherever they do business, to provide the timely exchange of accurate information when a customer migrates between local service providers. The adoption of common requirements will facilitate a smooth and predictable exchange of customer information between and among all local service providers, thereby bridging a significant gap in current practice and enhancing the continued development of local competition. *See infra* Section II.

⁴ Alliance for Telecommunications Industry Solutions, ATIS-0405300-0001, Local Service Migration Guidelines, Issue 1, developed by the ATIS Ordering and Billing Function Group, Ordering and Billing Forum, October 28, 2004.

⁵ See, **California:** *Petition of Verizon California Inc. for a Commission Order Instituting Rulemaking to Adopt, Amend or Appeal a Regulation Pursuant to Public Utilities Code Section 1708.5 in Order to Establish Rules Governing the Transfer of Customers from Carriers Exiting the Local Telecommunications Marketplace*, Petition 02-05-014, filed May 3, 2002; *Order Instituting Rulemaking to Establish Rules Governing the Transfer of Customers from Competitive Local Carriers Exiting the Local Telecommunications Market*, R. 03-06-020, June 19, 2003. **Florida:** Florida Public Service Commission, Competitive Issues Forum, End User Migration. **Michigan:** *In the Matter of Ameritech Michigan's Submission on Performance Measurements, Reporting and Benchmarks, pursuant to the October 2, 1998, Order in Case No. U-11654*, Case No. U-11830. **New Hampshire:** *In the Matter of the Adoption of CLEC to CLEC Migration Guidelines*, DT 02-132. **New York:** *Proceeding on Motion of the Commission to Examine the Migration of Customers Between Local Carriers*, Case 00-C-0188, Order Adopting Phase II Guidelines (Issued and Effective June 14, 2002). **Oregon:** *In the Matter of a Proposed Rulemaking, Related to Open Network Architecture, to Repeal Rules in Division 035 of Chapter 860 of the Oregon Administrative Rules and to Adopt OAR 860-032-0510, Related to Customer Proprietary Network Information, and OAR 860-032-0520, Related to Customer Service Records*, Order No. 04-012, AR 469, entered January 8, 2004. **Texas:** *Rulemaking Regarding CLEC-to-CLEC and CLEC-to-ILEC Migration Guidelines*, Order Adopting New §26.131, approved July 25, 2003. **Washington:** *In the Matter of Amending, Adopting, and Repealing Rules in Chapter 480-120 WAC, Chapter 480-122 WAC, and Chapter 480-80 WAC, Relating to Telecommunications*, Docket No. UT-040015, General Order No. R-516, Order Amending, Adopting and Repealing Rules Permanently, issued January 13, 2005.

Further, AT&T believes that the Commission should adopt guidelines that conform to those identified and established by the Ordering and Billing Forum (“OBF”) of the Alliance of Telecommunications Industry Solutions (“ATIS”). AT&T believes that they provide an excellent template for the Commission’s consideration of the issues raised in this *FNPRM*. See *infra* Section III.

Finally, AT&T strongly supports the notion that timeliness requirements, although essential to ensure that customer requests are processed without undue delay, must be flexible enough to recognize that information may be transmitted through a variety of means, while providing enough guidance to ensure the seamless transmission of data. In that regard, AT&T believes the exchange of information can be vastly improved if the Commission facilitates the development, creation and maintenance of a national list of LECs’ contact information (*e.g.*, a website). Today, there is no single source from which carriers can locate existing LECs to determine the processes they use to exchange customer information. Commission support of such a resource would enhance carrier efficiency and customer satisfaction. See *infra* Section IV.

ARGUMENT

I. THE LACK OF SPECIFIC INFORMATION EXCHANGE REQUIREMENTS UNDULY COMPLICATES LEC-TO-LEC MIGRATION PROCESSES AND CREATES CUSTOMER DISSATISFACTION.

In the nine years since the passage of the Telecommunications Act of 1996, customers’ ability to change local carriers has expanded from an option that was only available to very large business customers, who only considered making changes at the end of multi-year term contracts, to an option that is available to all customers, including

residential customers, who are able to change carriers on a moment's notice. This has greatly magnified the number of local carrier changes that must be managed within a short time frame. These market-based changes have in turn resulted in many of the same difficulties associated with access to customer account information that the Commission addressed in the *CARE Order*, which adopted minimum requirements for exchanging information between all LECs and all IXC. Thus, the lack of necessary requirements has caused customers who change local carriers to encounter abnormal delays, service interruptions, cumbersome procedures, and the risk of being "slammed"⁶ or "crammed."⁷ These problems are particularly troublesome for customers whose expectations regarding carrier changes are based on their experience with the well-developed and long-standing processes for changing long distance carriers.

As a provider of both facilities-based service and non-facilities based local services, AT&T has encountered a broad array of problems in executing CLEC-to-CLEC migrations. These problems have arisen both in the cases where a new customer chooses AT&T as his/her local carrier and in cases where an existing AT&T customer desires to move his/her service to a new LEC. In addition to the undesirable impact on customers, the lack of uniform processes and procedures has generated significant costs for AT&T

⁶ "Slamming" is the unauthorized change of a customer's chosen carrier. See e.g. *Implementation of Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996*, Second Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 1508, ¶ 1 (released December 23, 1998).

⁷ "Cramming" is the application of charges for products or services that have not been specifically authorized by the subscriber. "Cramming" may include continued billing for services once a customer has chosen an alternative service provider. See e.g. *Long Distance Direct Apparent Liability for Forfeiture*, Notice of Apparent Liability for Forfeiture, 14 FCC Rcd 314, ¶ 1 (released December 17, 1998).

and created confusion in communications between carriers and customers. AT&T's experience thus supports BellSouth's recommendation that the Commission adopt rules that provide consistent and universal oversight of LEC-to-LEC migrations. AT&T believes an approach incorporating the principles established by the Commission in the *CARE Order*, which established mandatory, minimum standards governing the exchange of information between LECs and IXC's, would equally benefit customers who change local carriers.

The Ordering and Billing Forum ("OBF") of the Alliance of Telecommunications Industry Solutions ("ATIS"), is nationally recognized as "hav[ing] the responsibility for the development and maintenance of the ordering and provisioning processes. . ." for the industry.⁸ In its recently developed *Local Service Migration Guidelines*, OBF determined that service migration requires the integration of several processes between multiple providers. These processes include:

- A. Exchange of End User Transition Information;
- B. Disconnection of Service from the Old Local Service Provider;
- C. Ordering and Provisioning of New Service, Including the Porting of Telephone Number as Appropriate;
- D. Directory Listing Management;
- E. Long Distance Service Carrier Notification;
- F. E911 Management

The **exact** process used to complete these steps is dependent on the method by which a customer's current service is being provided by the Old Local Service Provider

⁸ ATIS/OBF **Local** Service Migration Guidelines, *supra*.

(“Old LSP”), the method by which the New Local Service Provider (“New LSP”) will provide service, and whether the provision of either the old or new service involves a separate Network Service Provider (“NSP”).

In spite of a general consensus regarding the steps needed to move a customer from a CLEC to another LEC, the fulfillment of these steps is often fraught with uncertainty. In order to ensure that a customer who is changing LECs receives the correct service, including all of his/her desired features and functions, it is essential that the New LSP obtain information from the Old LSP regarding the services currently being provided, along with specific information about the method in which those services are provided. Unfortunately, in AT&T’s experience, even this first step can create significant confusion and delay. While the identification of the Old LSP should be an easy task, that is often not the case, and the identity of a prospective customer’s current service provider is difficult to determine. AT&T has made significant efforts over the last several years to reach out to other CLECs in this regard, and it has attempted to maintain a database of information for its agents to rely on in seeking information from other carriers. However, in spite of these efforts, it is not uncommon for the customer to identify a company with which AT&T has no familiarity. Spina Decl., ¶ 11.⁹ This is complicated by the fact that changing economic and regulatory environments have led to a variety of mergers and acquisitions, name changes and total business failures of some CLECs.

⁹ Declaration of Joel Spina, Donna Osborne-Miller, Adam K. Asbury, Noriko Wilson and Kathryn Lytle, dated July 18, 2005 (“Spina Decl.”), Attachment A hereto.

As a result, it is not uncommon for AT&T employees to have to rely on popular internet search engines to complete the first step of the migration process, *i.e.*, the identification of a new customer's current CLEC. While not an impossible task, employees routinely spend a significant amount of time sifting through a long list of entries retrieved in a Google[®] search to determine which of several companies with similar names is the one actually providing service to the customer. Spina Decl., ¶ 11. This is further complicated by the fact that many customers identify a sales agent or reseller who merely re-brands the service of a CLEC or is using services purchased from an ILEC.¹⁰

Although many CLECs, including AT&T, have easily accessible websites with specific information regarding their procedures for requesting Customer Service Records ("CSRs"),¹¹ a significant number of CLECs either provide no information, or make it extremely difficult to access such information. Provisioning agents are often left with no other choice but to embark on a "scavenger hunt," starting with a call to the toll-free number identified as a customer service contact and hope they are able to find someone who is familiar with the CLEC's process requirements for requesting a CSR. While this

¹⁰ This is consistent with the Commission's finding in the *CARE Order* that the specific customer data needed to ensure the smooth transition of customer service is not available from sources other than the customer's current service provider. See *CARE Order*, ¶ 20.

¹¹ AT&T has taken great care to properly support the migration of its customers to other carriers, including establishing easy access to its own process for executing a CSR or LSR to port a customer's telephone number to another carrier through its website. Spina Decl. ¶ 22. AT&T's CLEC-to-CLEC migration processes for Business and Consumer VoIP services can be found at <http://www.att.com/lnp/>. AT&T's CLEC-to-CLEC migration processes for Consumer services can be found at <http://www.consumer.att.com/lnp/>. Some examples of other CLEC websites include Focal (Business Rules): http://www.focal.com/cust_care/migration.html and ICG (Business Rules): http://www.icgcomm.com/customer/lnp/lnp_migration.asp.

method allows AT&T to ultimately access the CSR in the majority of cases, this approach too often results in a dead end, making it nearly impossible to migrate the customer without compromising service and risking service outage. Spina Decl., ¶ 18.

The inability to access a customer's CSR is particularly troublesome when the Old LSP is not the customer's NSP. Although most customers can identify their current LSP, many customers are unfamiliar with the method used to provide service. While AT&T should be able to obtain that information from the CSR, when it does not have access to the CSR, AT&T must rely on other sources, including the Number Portability Administration Center ("NPAC")¹² and the Local Exchange Routing Guide ("LERG") to determine the NSP. This creates additional work for the new carrier, once again creating a potential delay in the execution of the customer's selection of a new local carrier.¹³

But identifying the customer's current LSP is only the first step of the migration process. The lack of mandatory, minimum standards has also enabled a number of carriers to be less than diligent in fulfilling the other requirements required to promote competition. Many carriers simply have no defined process for accepting a request for a CSR or

¹² Although AT&T is able to access NPAC because it is a facilities-based provider, this resource is not available to carriers that provide service through the use of other carriers' networks.

¹³ In an attempt to compensate for the lack of minimum, mandatory standards for the maintenance and production of customer records, CLECs and ILECs have developed arrangements to allow New LSPs to access CSR-like information from the ILEC serving as a customer's NSP through UNE-P or resale. For example, BellSouth has established a process in which CLECs may authorize other carriers to access BellSouth's records in order to determine the customer's service and service arrangement. While such voluntary agreements have facilitated the accurate implementation of a customer's choice of a new LEC in some cases, not all ILECs are able or willing to provide a similar process. Additionally, the information provided by the ILEC may not convey the total picture of the customer's service configuration. Therefore, these arrangements are not a sufficient substitute for the establishment of mandatory minimum requirements for all carriers.

responding to such a request. Even today, AT&T agents making such requests routinely get resistance from CLECs, ranging from unworkable CLEC-established intervals for responding to a CSR request (*e.g.*, a thirty-day interval without an option to expedite), to simply ignoring AT&T's numerous requests. Spina Decl. ¶ 14. Even carriers that have established reasonable response intervals, (*e.g.*, 3-5 business days), often miss, and sometimes totally ignore, those intervals, with no recourse for their failure to comply.

In addition, Old LSPs often impose impermissible requirements on the requesting carrier. Under the terms of the Commission's Customer Proprietary Network Information ("CPNI") Rules, a verbal authorization from a customer is sufficient to authorize a CSR retrieval. In its *CPNI Order*,¹⁴ the Commission held that although § 222 of the 1996 Telecommunications Act (the "Act")¹⁵ does not require carriers to provide CPNI access to a competing carrier that had "won" the customer without the customer's affirmative written request, § 222(c)(1) does not prohibit a carrier from disclosing CPNI upon a customer "approval." The *CPNI Order* held that LECs may be required to disclose a customer service record upon the oral approval of a customer to a competing carrier as part of the LEC's obligations under §§ 251(c)(3) and (c)(4) of the Act,¹⁶ stating

¹⁴ *Implementation of the Telecommunications Act of 1996, Telecommunication Carriers Use of Customer Proprietary Network Information and Other Customer Information and Non-Accounting Safeguards of Sections 271 and 272*, Second Report and Order and Further Notice of Proposed Rulemaking, 13 FCC Rcd 8061, para. 84 (released February 26, 1998) ("CPNI Order"). Unrelated provisions clarified in *Implementation of the Telecommunications Act of 1996, Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information*, Order, 13 FCC Rcd 12390 (released May 21, 1998).

¹⁵ See 47 U.S.C. § 222.

¹⁶ *CPNI Order*, ¶¶ 84-85 and *see* 47 U.S.C. § 251.

that a carrier's failure to disclose CPNI in these circumstances could constitute an unreasonable practice under §201(b).¹⁷

In spite of these clear requirements, some carriers require the production of a Letter of Authorization ("LOA"), occasionally even demanding a specific format for the letter or requiring the LOA to be on the customer's letterhead. Although not as common, AT&T has also encountered situations in which a customer's current LSP intentionally denies access to the CSR in order to block the customer's attempt to change local carriers. Spina Decl. ¶ 15.¹⁸ See also Buchanon Decl.¹⁹

For example, AT&T encountered major roadblocks when it tried to migrate a new customer's service from a CLEC and establish the customer's local service with AT&T. The order was rejected numerous times by the CLEC. Each time the reason was different. First, the order to release the CSR was refused without proof of an LOA. Buchanon Decl. ¶ 8. Next, the order was rejected citing the fact that AT&T's request failed to identify the customer's proper billing telephone number ("BTN"). Buchanon Decl. ¶¶ 9, 10. Then, even after the customer provided the correct BTN, the request was rejected because the CLEC insisted that the CSR could only be released to the customer

¹⁷ *Id.*, at ¶ 85 and see 47 U.S.C. § 201(b). This holding was reaffirmed in *Implementation of the Telecommunications Act of 1996, Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information and Non-Accounting Safeguards of Sections 271 and 272*, Order on Reconsideration and Petitions for Forbearance, 14 FCC Rcd, 14,409, ¶¶ 86-92 (released September 3, 1999) ("*CPNI Recon Order*").

¹⁸ In the past, industry groups and state regulators have considered proposals for the establishment of a national, line level data base for the maintenance of CSRs. While such a database would clearly provide a comprehensive solution, the cost of such a system would be prohibitive.

¹⁹ Declaration of Sandra Butler Buchanon and Denise Decker, dated July 18, 2005 ("Buchanon Decl."), Attachment B hereto.

and required an "in person" consent to release the CSR. Buchanan Decl. ¶ 12. Anxious to move its local telephone service to AT&T, the customer met with the CLEC's representative and during that visit the CLEC's representative attempted to "win back" the customer. Buchanan Decl. ¶ 13.

And the challenges do not even stop once the New LSP gains access to a CSR. The current lack of mandatory, minimum requirements often means that even if the New LSP obtains a CSR from the Old LSP, the quality or format of the document is so poor as to make it useless. Spina Decl. ¶ 16.²⁰ While not routine, AT&T has also received CSRs that are illegible either because the copy has been degraded by a series of fax transmissions, or because the document produced is no more than an informal notation of a customer's service arrangements. Buchanan Decl. ¶ 14.

Not surprisingly, AT&T has found similar barriers to requesting the port of a customer telephone number through a Local Service Request ("LSR") to the NSP. While many carriers have well-documented processes consistent with the standards recently promulgated by ATIS/OBF, other carriers provide no guidance on the format for an LSR. As a result, identification of the proper format or method for sending the LSR is often discovered only after a period of trial and error. In a classic "Catch-22," these delays can be so extended that the original order is cancelled or considered stale before AT&T is able to effectuate it. Spina Decl. ¶ 20. *See also* Buchanan Decl. ¶ 15. Equally as problematic is the fact that some carriers do not have or do not follow their own standard interval for responding to AT&T's LSR, not infrequently responding only after a series of

²⁰ For example, often the Old LSP does not maintain data in a manner that can be easily validated against the information maintained by the Old NSP that will be processing the order.

escalations by AT&T. These circumstances result in unpredictable delays and high levels of customer dissatisfaction.

On the flip side, in spite of AT&T's own practice to provide easy access to its own processes for executing a request for a CSR or LSR to port a customer's telephone number to another carrier, as well as the establishment of reasonable intervals for responding to such requests, AT&T has also encountered situations where other carriers migrated a customer without proper notice to AT&T. In cases where AT&T is both the LSP and the NSP, AT&T has experienced situations in which another facilities-based carrier has ported customer numbers from AT&T without submitting an LSR. This practice is clearly contrary to industry guidelines.²¹ However, the process established by NPAC to ensure new carriers are able to fulfill a customer's choice for a new LEC enables a non-compliant carrier to port numbers without first coordinating with the Old NSP. In such situations, even though the customer's numbers might be ported and the customer may begin receiving dial tone from the new carrier, AT&T is unaware of the need to modify existing billing arrangements or directory listings, creating the potential for customer dissatisfaction and disputes. Even more troublesome, without an LSR, AT&T is unaware of the need to unlock the customer's 911 database record to ensure that this vital database accurately reflects the customer's NSP. Spina Decl. ¶ 24.²²

²¹ North American Numbering Council, Functional Requirements Specification, NPAC, Service Management System (SMS), Release 3.3.0d, June 22, 2005.

²² This problem becomes more prevalent with the introduction of alternative voice services such as VoIP.

Finally, while ATIS/OBF has established clear guidelines for timely line loss notifications to the Old LSP,²³ those guidelines are not always followed. This is particularly true where, due to the circumstances of the customer's service, neither the New LSP nor the NSP need the affirmative cooperation of the Old LSP in order to migrate service.²⁴ As a result, the Old LSP is often unable to make timely changes in a manner that would prevent double billing. This in turn may result in the failure to provide the line loss notifications to the Old LSP, which almost always results in customer dissatisfaction.

II. THE COMMISSION SHOULD ESTABLISH NATIONAL REQUIREMENTS FOR THE EXCHANGE OF INFORMATION NEEDED TO FACILITATE LEC-TO-LEC MIGRATION.

The new rules implementing minimum customer account records exchange obligations for all LECs and IXC's in the *CARE Order* represents an important step that replaces a voluntary industry protocol with a specific set of carrier obligations to exchange customer information. While not mandating the format or medium of transfer of information, the rules provide clear guidance to ensure the timely exchange of complete and accurate information. In this *FNPRM*, the Commission is seeking to determine if the existing patchwork of industry guidelines, state regulation and voluntary cooperation is sufficient to ensure there is appropriate information exchange between

²³ ATIS/OBF Local Service Migration Guidelines, *supra*. Under OBF guidelines, the responsibility for providing LLN depends on the end user's particular service arrangement, but generally falls to the Old NSP.

²⁴ These circumstances generally occur when the customer is being served by the Old LSP/ILEC either through resale or UNEs, and the New LSP is either the ILEC or another CLEC using the ILEC's network to provide service.

local carriers to allow consumers to efficiently and effectively change their local carrier. As discussed above, the clear answer is, “No”. Accordingly, AT&T strongly supports the adoption of rules that require all carriers to provide for the timely exchange of accurate information and facilitate the establishment of consistent, workable procedures to further competition by allowing for seamless customer migrations.

As a threshold matter, a number of states have addressed LEC-to-LEC migration rules. Unfortunately, despite these significant efforts, the adoption of state-by-state processes has proven very burdensome for CLECs and generally has not resulted in significantly better results for either customers or carriers.

For example, although the New York CLEC-to-CLEC rules were developed over a two-year period they still have significant limitations. The New York guidelines are Verizon-region specific, and they are not designed to recognize other protocols or systems for other ILEC regions or carriers. Moreover, the New York guidelines do not follow processes defined in the industry’s Local Service Ordering Guidelines (“LSOG”). The New York data requirements were based on LSOG Version 4 business rules, but the OBF industry guidelines are now up to LSOG Version 10. Later LSOG versions contain many industry-defined solutions that address business needs that have become evident since LSOG Version 4 was the industry standard. Another problematic aspect of the New York rules is that they are inconsistent with North American Numbering Council (“NANC”) standards for certain scenarios, including some relating to number portability. For example, the New York rules adopt a protocol that requires the New LSP to issue the

port-out order. However, the NANC and industry standards support a protocol that places the responsibility for issuance of the port out LSR on the New NSP.²⁵

Similarly, the New York rules fail to recognize the real -- and more significantly -- reasonable limitations of CLECs. The rules require CLECs to move to a standard 4-hour interval to produce a CSR.²⁶ However, many CLECs lack the automated systems and interfaces to meet such a deadline. While in a perfect world such an interval might be desirable, the investment needed to meet this standard would likely undermine the viability of many CLECs. In fact, the goals of timely migration and customer satisfaction do not necessarily require such a stringent time frame. Instead, they require that carriers have timely, predictable and relatively consistent methods to access accurate and usable information. These goals could be well met with more general standards, such as those

²⁵ There has been a consistent debate on this issue throughout the state proceedings that have considered the adoption of LEC-to-LEC migration processes and requirements for coordination among the various involved carriers. ILECs have generally argued that the sole responsibility for coordination should rest on the New LSP, while CLECs believe this practice is logistically not feasible. For example, in the case of a CLEC-to-CLEC migration in which each CLEC is using a UNE loop provided by the ILEC, the ILEC needs to remove and replace cross-connects in its central office to implement the carrier change. Given that the CLECs cannot make changes on the ILEC's side of the network, absolving the ILEC of responsibility for reasonable coordination is tantamount to adopting a process that is guaranteed to result in routine service outages.

²⁶ New York End User Migration Guidelines, CLEC to CLEC, Phase II, IV. Exchanging Customer Service Information, F. Timing. (*"CSR/CSI timing guidelines recommended by this collaborative have been adopted by the Commission in its Order Modifying Existing and Establishing Additional Inter-Carrier Service Quality Guidelines issued on October 29, 2001 in Case 97-C-0139. These timing intervals noted below are applicable to residential and business (5 lines or less) CSR requests. Upon issuance of the Guidelines, 80% of requested CSRs must be provided within 48 hours. Six months later 80% must be issued within 24 hours. Six months later 80% must be issued the same day if requested by noon or by noon the next day if requested after noon. An additional 24 hours would be allowed for a one year period for CSRs requiring extensive research"*.)

adopted by the Commission in the *CARE Order*, which requires carriers to provide notification promptly and process without delay.²⁷

Other states, including Florida, New Hampshire, Oregon, Pennsylvania and Texas have attempted to address these concerns by adopting requirements that they have determined are better suited to meet the underlying goals for LEC-to-LEC migration within each state. These states' efforts, while laudable, have nevertheless become problematic because of their inconsistencies. As a result, carriers such as AT&T that offer local service in a number of states may be forced to develop disparate systems and incur unnecessarily duplicative expenses to adhere to the various guidelines imposed by the handful of states that have addressed LEC-to-LEC migrations.

Moreover, there are many advantages to a national approach. First, the simplicity of a single set of LEC-to-LEC migration guidelines would provide a good foundation to support a process that could be widely implemented and effective. In this regard, the framework established by the Commission in the *CARE Order* provides a useful roadmap for bringing better communication and cooperation to carriers' current practices. Second, the state-by-state process has resulted in significant investments of time and resources, but has provided little in the way of actual relief to customers or carriers. Third, a national protocol would ensure that carriers serving more than one state would not have multiple, different migration processes with which to comply. The combination of the reduced burden and clear mandatory standards would effectively remedy the current

²⁷ 47 CFR § 64.4004 (“*Timeliness of required notifications*. Carriers subject to the requirements of this section shall provide the required notifications promptly and without unreasonable delay.”)

mismatch of rules and practices that have consistently frustrated customers, carriers and regulators.

III. THE COMMISSION SHOULD ESTABLISH SPECIFIC GUIDELINES FOR THE EXCHANGE OF INFORMATION TO ENSURE COORDINATION OF ACTIVITIES BETWEEN ALL LECs TO IMPROVE CUSTOMERS' EXPERIENCE AND PROVIDE FOR SEAMLESS AND TIMELY MIGRATIONS.

The OBF's effort to identify and establish specific guidelines for the exchange of customer information between LECs has resulted in the best and most workable processes to ensure seamless and timely migration of local customers, and provides an excellent template for the Commission's consideration of the issues raised in this *FNPRM*. Recognizing that the introduction of local service competition increased the number of ways that an LSP can provide service to the customer, OBF has balanced the needs of carriers and customers in setting guidelines. As a result, the OBF guidelines recognize the wide variance in carriers' systems and capabilities. Therefore, instead of imposing an operational framework that many carriers would be unable to meet without uneconomic investment, the OBF guidelines focus on the underlying information needed for seamless customer transition, and the most efficient and practical methods for the exchange of that information. Therefore, AT&T recommends that the Commission rely on the OBF's conclusions to establish the needed guidelines for the exchange of customer information between LECs.

A. Exchange of End User Transition Information.

The migration of a local customer begins with contact between the customer and a New LSP, initiated either by the customer or the LEC. Once it is established that the

customer is interested in changing local carriers, the LEC must confirm the type and extent of the customer's current service. While customers generally are able to provide basic information, including the information contained on their current telephone bill,²⁸ the new local carrier typically needs more information. In order to guarantee that the customer's new service properly mirrors existing service and in order for the new local carrier to be able to determine if it might offer alternative services that better meet the customer's needs, it is essential that the carrier be able to confirm the customer's current services, which can only be done by reviewing the CSR maintained by the current LSP. In addition, a review of the CSR is an important step to minimize errors in LSRs the New LSP must ultimately submit.

In order to facilitate the information sharing process, the OBF guidelines provide that the New LSP's request for CSR should include the following information: the customer's telephone number(s); an indication of the end user's authorization to review the CSR;²⁹ the name of the requesting LEC; the desired method of response from the Old LSP; the date and time the request was sent; an indication as to whether the Exchange Carrier Circuit Identification ("ECCKT") is requested; and an indication as to whether directory listing information is requested.³⁰

²⁸ Customers' uncertainty regarding the exact services provided by their existing carriers is not limited to less sophisticated residential or small business customers. The complexity of service arrangements for larger customers often results in even greater customer uncertainty, creating the potential for more significant and service-affecting problems if those arrangements are not thoroughly disclosed before migration.

²⁹ *CPNI Order*, *supra*.; 47 CFR 64.2007.

³⁰ ATIS/OBF Guidelines, *supra*, Guideline 8.

The OBF has also determined that responses to a request for a CSR must be in an easy-to-read format and, at a minimum, must include:

Account Level Information

- Billing Telephone Number;
- Complete service name and address (including floor, suite, unit etc.);
- Complete billing name and address (where required by State regulatory guidelines);
- Directory listing information including address, listing type, etc. when requested.

Line Level Information

- Working telephone number(s);
- Current preferred interexchange carrier for inter and intra LATA tolls including freeze status;
- Local service freeze status;
- All vertical features (*e.g.*, custom calling, hunting, etc.)
- Options (*e.g.*, Lifeline, 900 blocking, toll blocking, remote call forwarding, off-premise extension, etc.)
- Service configuration information (*e.g.*, resale, UNE-P, unbundled loop);
- Identification of any services on the end user's line (*e.g.*, line splitting, internet services, etc.)
- ECCKT with associated telephone number when available and eligible for reuse.

In addition to customer account information, there may be a need to obtain network information in order to complete a customer's migration. Thus, carriers should be required to share all network specific information of a technical nature that is necessary for a successful migration, including the circuit identification and any other information essential to allow for the reuse of facilities provided by the NSP.

B. Disconnection of Service from the Old LSP.

The OBF's analysis also confirms that it is essential for the Commission to establish an obligation to provide proper and timely notification of line loss. Current

processes established in LSOG guidelines set forth specific responsibilities for the NSP. Under the guidelines, when the Old NSP and the Old LSP are not the same company (*i.e.*, when both the Old LSP and the New LSP provide local services through resale or UNEs) the switch (“NSP-Switch”) is notified of loss of service by either the New LSP or the New NSP-Switch through use of an LSR. The NSP is then responsible for providing a timely notification to the Old LSP, who in turn can make the appropriate modifications to its systems to discontinue billing. When the Old NSP and Old LSP are the same company, the LSR received by the Old NSP will serve as the notification that the customer has migrated.

C. Ordering and Provisioning of New Service, including the Porting of Telephone Numbers, as Appropriate.

The ordering and provisioning of the customer’s service with the New LSP requires a coordination of key functions among the New LSP, the Old LSP, the Directory Service Provider (“DSP”), the customer’s current IXC, the new IXC (if changing IXCs) and, to the extent service is currently provided or will be provided on the network of carrier other than the LSP, the NSP(s) for both the NSP-Switch and loop (NSP-loop).³¹ When a migration involves a number port, the migration further involves coordination between the NSP(s) and the NPAC. AT&T supports the detailed breakdowns of the exact scenario-specific responsibilities of each carrier set forth in the OBF guidelines because they provide a clear explanation of each carrier’s responsibility.

³¹ In the case where the customer has additional data services, the coordination is also extended to the Data Provider(s).

While the specific functions and appropriate responsibility for those functions depend on the circumstances of each customer migration scenario, it is worthwhile to note that there are certain obligations that apply in all cases. For example, the New LSP should be responsible for negotiating services and features with the customer and obtaining appropriate customer authorizations for accessing the CSR and issuing the order to migrate service. In addition, all carriers should be required to establish and maintain a website containing specific information on the company's procedures for CSR requests and the submission of LSRs. Additionally, each carrier should maintain a contact list and an escalation list for customer migrations. At a minimum, this list must include a contact for operations issues and a contact for escalation/policy issues.

It is also important to clarify the ongoing responsibility of the NSP in those circumstances where the Old and/or New LSP provide retail service through the use of the ILEC's facilities. In a number of state proceedings, regulators have considered, and in the case of New York adopted, recommendations from ILEC NSPs that the sole responsibility for the coordination required to migrate a customer should rest with the New LSP. While at first blush this recommendation may have some appeal, in the case where one or both of the LSPs involved in the migration rely on the network of another carrier, the removal of the NSP from the equation is not only inefficient, it is likely to result in service disruption and customer dissatisfaction. This is true regardless of whether the NSP provides all of the service, *e.g.*, through resale, or the NSP provides only one part of the network (*e.g.*, the loop) needed to provide local service.

For example, in the case of a migration between two LSPs that both rely on the use of an unbundled loop to provide service, the NSP alone has the access needed to

remove and replace cross-connects in its central office that are necessary to effectuate the carrier change. Therefore, it would be illogical to relieve the NSP from joint responsibility for the coordination of this work. Additionally, in the case of a migration requiring number porting, the NANC standards for number porting require the New NSP to issue the port-out local service request to the Old NSP.³²

D. Directory Listing Management.

Directory listing information should be submitted by the New LSP to the DSP using an LSR. The DSP is the entity that receives and implements the LSP's directory services requirements for the customer (*e.g.*, white page and/or yellow page listings). If the Old LSP is a facility-based provider and directory listing migration capabilities are not available from the DSP, the Old LSP should remove the customer's listing(s) when it receives an LSR to migrate local service.

E. Long Distance Service Carrier Notification.

Upon the completion of all necessary steps to migrate a customer's local service, carriers should also be directed to complete the proper notification by the LEC to the customer's IXC. Application of the rules for data exchange between LECs and IXCs in the *CARE Order* now provide clear expectations for all carriers and would be complemented by the adoption of standards for the exchange of information between LECs.

³² See, n. 22, *supra*.

F. E911 Management.

Mandatory, minimum standards are also essential to the proper transition of E911 service in migrations involving a change in NSPs. Unlike the NPAC protocol for local number portability, which gives the new LEC the ability to port a telephone number without concurrence from the old LEC, the protocol established for the E911 databases³³ prohibits a new LEC from accessing the E911 database or submitting changes to the database unless the old LEC has affirmatively “unlocked” the customer’s E911 record. Once the record is unlocked, the new LEC is able to confirm the accuracy of the customer’s location information and modify the record to reflect its status as the New NSP. Once the New NSP takes responsibility for the record, the record is re-locked to maintain its integrity. This process requires coordination between the New and Old NSP, requiring the Old NSP to unlock the E911 record in a timely manner. The adoption of specific standards for the exchange of information will prevent the circumstance where a customer’s number(s) is ported and the customer begins receiving dial tone from the new NSP, but the Old NSP, unaware of the action taken by the New NSP, maintains the customer’s E911 record, thus preventing the appropriate updating of the customer’s E911 database record to ensure that this vital database accurately reflects the customer’s NSP. Spina Decl. ¶ 24.³⁴

³³ *National Emergency Number Association Data Standards for Local Exchange Carriers, ALI Service Providers & 9-1-1 Jurisdictions*, Issue 3, November 9, 2004. The E911 databases are also referred to as the ‘Automated Number Identification’ and ‘Automated Location Identification’ databases. These databases contain information on the caller’s telephone number, location and also identify the caller’s NSP.

³⁴ This problem becomes more prevalent with the introduction of alternative voice services such as VoIP.

IV. THE COMMISSION SHOULD ENSURE THE CREATION AND MAINTENANCE OF A NATIONAL LIST OF LOCAL EXCHANGE CARRIERS' CONTACT INFORMATION.

Creation of Commission rules that identify the specific information that must be maintained and exchanged between LECs to support the local customers' migrations will go a long way toward improving the LEC-to-LEC migration process, enhancing carrier efficiency and customer satisfaction. As described above, AT&T is confident that the adoption of mandatory, minimum requirements in a fashion consistent with the approach this Commission used in establishing standards for the exchange of customer account information between all LECs and all IXC's will provide a significant improvement over current practices, and will likely remedy many of the problems identified by both AT&T and other carriers. As the Commission noted in the *CARE Order*:

[O]nce carriers' respective obligations with respect to specific transactions are clearly delineated and made mandatory, regulators will be better able to determine the responsibility of individual carriers in connection with particular billing disputes and to ascertain at which point(s) in a transaction involving two or more carriers the process has gone awry.³⁵

Therefore, AT&T does not recommend that the Commission establish specific timeframes for responses, or specific metrics or performance standards at this time. However, AT&T believes that the Commission should take one additional step in establishing specific information exchange requirements for local migrations. As AT&T has learned from hard experience, a fundamental hurdle to ensuring seamless and timely LEC-to-LEC migrations that carriers have no single source from which to locate existing LECs or to determine the processes they use to exchange information. Although publicly available internet search engines provide some help, Spina Decl. ¶ 11, they are far from

³⁵ *CARE Order*, ¶ 17.

an effective or efficient method to obtain this information. As a result, AT&T strongly recommends that the Commission facilitate the development, and support the continued updating, of a single resource, (*e.g.*, a website) that would allow carriers easy access to the essential information they need to obtain CSRs and submit LNP requests.

Notably, AT&T is not suggesting that the Commission require the development of a sophisticated and comprehensive infrastructure to enable real-time access to all carriers and their customer service records. Rather, AT&T only proposes use of a fairly simple, relatively “low tech” solution that would involve a single website that requires all CLECs to list some simple information and that allows a carrier to search all LECs by name and state. Each carrier’s listing should consist of the following information that New LSPs need to begin the migration process: (i) the carrier’s name and basic identifying information, including the states (or smaller areas) where the carrier provides local service; (ii) general information on the methods the carrier uses to provide service (*e.g.*, facilities-based; resale or UNE from another carrier, etc.); and (iii) a specific contact person for questions regarding access to CSRs and submission of LNP requests. Additionally, each entry should provide a link to a website maintained by the carrier that contains specific information about the carrier’s processes for CSR access and submission of LSRs. Such a resource would create a reasonable starting point to support efficient LEC-to-LEC migration and also maintain carriers’ ability to retain flexibility (including the ability to minimize costs) to determine the format and information exchange medium that best suits its business.

CONCLUSION

For all of the reasons stated above, the Commission should establish mandatory minimum standards governing the exchange of customer account information between all local exchange carriers as described above.

Respectfully submitted,

AT&T CORP.

By: /s/ Martha Lewis Marcus

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July 18, 2005

Attachment A

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
)

Rules and Regulations Implementing)
Minimum Customer Account Record)
Exchange Obligations on All Local and)
Interexchange Carriers)
_____)

CG Docket No. 02-386

**DECLARATION OF JOEL SPINA, DONNA OSBORNE-MILLER,
ADAM K. ASBURY, NORIKO WILSON AND KATHRYN LYTLE**

1. My name is Joel Spina. My business address is 250 S. Clinton Street, 4th Floor, Syracuse, New York. I have been employed by AT&T in a number of capacities since 1993. For the last four and one-half years I have been responsible for developing and supporting AT&T's Business Local Service's end-to-end processes for Competitive Local Exchange Carrier ("CLEC") porting, including access to AT&T Customer Service Records ("CSRs") and AT&T's port-in and port-out functions. In conjunction with these responsibilities I have reviewed and implemented guidelines and rules promulgated in individual state proceedings on LEC-to-LEC migration, and supported AT&T's participation in the Ordering and Billing Forum's consideration and development of LEC-to-LEC migration processes.

2. My name is Donna Osborne-Miller. My business address is 1331 Iris Circle, Broomfield, Colorado. I have been employed by AT&T in a number of capacities since 1983, including positions in customer care, provisioning and supplier management.

Since October of 2004, I have been employed as a Senior Specialist in AT&T's Global Access Management. My current responsibilities include oversight of supplier maintenance and provisioning performance. Additionally, I support AT&T local provisioning centers by serving as the primary point of contact between AT&T and the CLEC community regarding customer migration and CLEC port-out processes and business rules. In this capacity, I regularly contact CLECs to seek information regarding access to CSRs and identifying individual CLEC migration and port-out processes.

3. My name is Adam K. Asbury. My business address is 7630 S. Chester Street, Englewood, Colorado. I have been employed by AT&T for six and one-half years. I am currently employed as a subject matter expert providing local provisioning support for LEC interfaces and migration for AT&T services provided in the Verizon and BellSouth service territories. My responsibilities include assisting in provisioning service for customers moving from a CLEC to AT&T, including the documentation of migration process information from CLECs and training of AT&T employees.

4. My name is Noriko Wilson. My business address is 4130 S. Market Ct., Sacramento, California. I have been employed by AT&T for ten years. Since March 2000, I have been employed as a subject matter expert providing local provisioning support for LEC interfaces and migration for AT&T services provided in the SBC, Qwest and Verizon-West (former GTE) service territories. My responsibilities include assisting in provisioning service for customers moving from a CLEC to AT&T, including the documentation of migration process information from CLECs and training of AT&T employees.

5. My name is Kathryn Lytle. My business address is 2800 Century Parkway, 6th Floor, Atlanta, Georgia 30345. I have been employed by AT&T for seventeen years. Since March 2001, I have been employed as a Quality and Process System Analyst. My responsibilities include serving as the primary point of contact between Local Service Access Management team (LSAM) and ADL ordering and provisioning centers regarding customer migrations, LEC interfaces and CLEC port-out business rules and processes. I am also responsible for documenting the ordering and LEC interface processes of CLECS for the local ordering work center, performing quality checks of issued orders and helping to restore customer out of service conditions through completion to ensure customer satisfaction.

6. The purpose of this declaration is to provide background on AT&T's experience over the past several years in migrating customers between AT&T and other CLECs, and to identify a number of problems AT&T has encountered that have resulted in delays, service outages, billing disputes and customer dissatisfaction associated with the implementation of customers' choices for local carriers.

7. AT&T provides local service to business and enterprise customers in numerous markets throughout the United States. In general, AT&T provides facilities-based local service either using its own network facilities, or where necessary, a combination of its own facilities and the facilities of other carriers, primarily incumbent local exchange companies ("ILECs").¹

¹ AT&T's current local network includes switches and outside plant (including both backbone network fiber optic rings and access to specific buildings and customers) in 85 MSAs nationally. AT&T also uses its "Class 4" long distance switches to provide local service through its AT&T

(footnote continued from previous page)

8. In the case of customers moving to AT&T from the ILECs, AT&T relies on the terms and conditions of Interconnection Agreements ("ICAs") established under the terms of the Telecommunications Act of 1996 ("Act"), and approved by the appropriate state regulatory agency. Those agreements establish the processes for AT&T to access customer service information and send Local Service Requests ("LSRs") for the porting of telephone numbers from the ILEC's switch to the AT&T switch. These processes were developed in conformance with industry guidelines and standards, including guidelines established by the Ordering and Billing Forum ("OBF") of the Alliance of Telecommunications Industry Standards ("ATIS"). In addition, the procedures contained in these agreements are designed to coordinate with the procedures established by the national Number Portability Administration Center ("NPAC") to facilitate number portability as required by the Act.

9. A significant percentage of customers moving to AT&T local service are served by other Competitive Local Exchange Carriers ("CLECs"). Due to the large number of CLECs in each state, and the variety of serving arrangements used by those firms to provide service to their customers, AT&T has not entered into formal interconnection agreements with other CLECs. AT&T has made significant efforts over the last several years to reach out to other CLECs and has attempted to maintain a data

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Digital Link ("ADL") product. ADL, however, is not a stand alone local product but rather one that allows AT&T long distance customers to add local voice traffic to their dedicated facilities that handle voice and data transmission. This permits customers to maximize efficiency by using the same trunks for local, intraLATA, long distance and international calls. Customers that subscribe to ADL service must use DS-1 or higher level facilities and must also employ sophisticated CLE on their premises.

base of information for its employees to rely upon in seeking CSRs from other carriers.

In spite of these efforts, AT&T is unable to gain a familiarity with every carrier in every state. Therefore, for customers moving to AT&T local service from CLECs, AT&T most often must attempt to identify the CLEC involved and then seek out the information and processes regarding its specific processes for obtaining access to customer record information and its procedures for ordering number porting.

10. The first step in facilitating the migration of a customer's local service to AT&T is to confirm the customer's current service, including telephone numbers, service arrangements and features with the customer's current carrier. Through the terms of AT&T's ICAs with ILECs and the establishment of electronic interfaces between AT&T and the ILECs, AT&T is generally able to obtain real-time access to ILEC CSRs. As a result, AT&T is able to confirm the customer's service arrangements and accurately submit a LSR to port the customer's telephone numbers to AT&T.

11. For customers served by CLECs, AT&T must first identify the customer's carrier. Not infrequently, a prospective customer's current service provider is not immediately evident. In those cases, AT&T must often use creative methods to identify the carrier and determine how to communicate with those carriers. It is not uncommon for AT&T employees to rely on popular internet search engines to try and identify a CLEC. While not an impossible task, employees routinely spend a significant amount of time sifting through a long list of entries retrieved in a Google[®] search trying to identify the carrier currently providing service to the customer.

12. Many CLECs have easily accessible websites with specific information regarding the procedures for requesting CSRs. However, a significant number of CLECs,

including CLECs with easily accessible websites, either provide no information, or make accessing that information extremely difficult. In those cases, the AT&T employee must embark on a “scavenger hunt,” to seek out the appropriate personnel at the CLEC who are both able and willing to provide information. In many cases, AT&T provisioning agents are required to make numerous calls, often starting with the number identified for CLEC customers to use, just to identify someone familiar with the CLEC’s processes and requirements.

13. Even after the contact person at a particular CLEC is identified, cooperation is not assured. Although not routine, AT&T employees have encountered difficulty getting specific information, including CLEC employees refusing to provide information to AT&T about processes for requesting CSRs or submitting LSRs, until AT&T initiated escalations with managers.

14. In addition, many carriers simply have no defined process for accepting a request for a CSR or responding to such a request. AT&T routinely gets resistance from such CLECs, ranging from unworkable CLEC-established intervals for responding to a request for a CSR (*e.g.*, a thirty-day interval without an option to expedite), to simply ignoring AT&T’s requests, even if sent numerous times. Even carriers who have established reasonable response intervals often miss or even ignore those intervals with no recourse for AT&T.

15. Another problem is that some carriers impose impermissible requirements on AT&T. For example, some carriers require the production of a Letter of Authorization (“LOA”), occasionally even detailing the format of the letter or requiring the LOA to be on the customer’s letterhead. Although not as common, AT&T has

encountered situations in which a customer's current local service provider intentionally denies access to the CSR in order to block the customer's attempt to change local carriers.

16. Unfortunately, even after AT&T obtains a customer's CSR, the quality or format of the document is sometimes so poor as to make it impossible to decipher the needed information. Often, AT&T is unable to identify the customer's telephone numbers, the method by which the customer is being served, or the features the customer is using. This is particularly problematic, since AT&T cannot submit LSRs to port new customers' telephone numbers without accurate information that matches the information maintained by the customer's current Network Service Provider ("NSP").

17. AT&T has also encountered circumstances in which the customer's current provider indicates that it simply does not maintain customer records that include the information necessary to ensure a seamless customer migration.

18. AT&T's inability to obtain CSRs and identify a particular CLEC's processes for migration creates significant barriers to its ability to timely fulfill customers' migration orders in a manner that meets their needs and expectations. And it is notable that when AT&T is forced to use alternative information sources to establish the customer's service arrangements and submit port orders, there is a significantly higher likelihood of service outages, billing errors and disputes and overall customer dissatisfaction.

19. AT&T has found similar barriers in requests to port customer telephone numbers through an LSR submitted to the customer's current NSP. While many carriers have well-documented processes that are consistent with the standards recently

promulgated by ATIS/OBF, other carriers provide no guidance on the format for the necessary LSR.

20. As a result, AT&T sometimes can only discover the proper format or method for sending the LSR after a prolonged period of trial and error. In a classic “Catch 22,” these delays can be so extended that the original order is cancelled or considered “stale” before AT&T can effectuate it.

21. Also problematic is the situation in which carriers do not have (or do not follow) their own standard intervals for responding to AT&T’s LSRs, often only responding after a series of escalations by AT&T. These circumstances result in unpredictable delays and high levels of customer dissatisfaction.

22. The lackadaisical approach of many CLECs to providing information to assist in the migration of customers to other providers is also equally apparent in some carriers’ practices for moving AT&T customers to their service.

23. AT&T has taken great care to properly support the migration of its customers to other carriers, including establishing easy website access to its own processes for obtaining CSRs or issuing LSRs to port a customer’s telephone numbers. In spite of this easy access, other carriers either ignore or refuse to use those procedures, instead sending requests without the information specified by AT&T or through means other than those established by AT&T. Such requests make it difficult for AT&T to provide a timely response to requests, and on occasion, result in a request being lost.

24. Even more problematic are situations in which carriers have taken action to migrate the customer without obtaining customer service information or without proper notice that they have ported customers’ numbers. This is clearly contrary to

industry guidelines.² However, the porting process established by NPAC enables a non-compliant carrier to port numbers without first coordinating the port with the Old NSP. In these situations, although the customer's numbers might be ported, and the customer may begin receiving dial tone from the new carrier, AT&T is unaware that it must modify its existing billing arrangements and/or directory listings, creating the potential for customer dissatisfaction and disputes. Even more troublesome, without an LSR, AT&T is unaware of the need to unlock the customer's 911 database record to ensure that this vital database accurately reflects the customer's NSP.³

25. The adoption of national mandatory minimum requirements for the exchange of customer service information between all LECs will facilitate the smooth migration of customers, thereby bridging a significant gap in current practice and enhancing the continued development of local competition.


² North American Numbering Council, Functional Requirements Specification, Number Portability Administration Center (NPAC), Service Management System (SMS), Release 3.3.0d, June 22, 2005.

³ The problem becomes more prevalent with the introduction of alternative voice services, such as VoIP.

Spina, Osborne-Miller, Asbury, Wilson and Lytle Declaration
AT&T's July 18, 2005 Comments in CG Docket 02-386

Verification

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

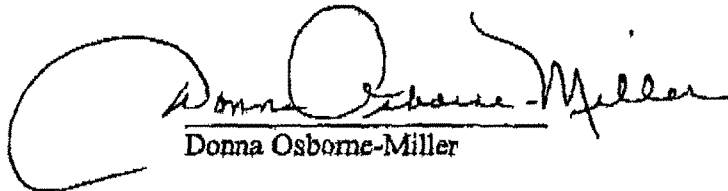

Joel Spina

July 18, 2005

Spina, Osborne-Miller, Asbury, Wilson and Lytle Declaration
AT&T's July 18, 2005 Comments in CG Docket 02-386

Verification

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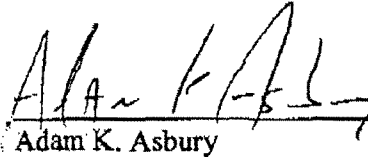

Donna Osborne-Miller

July 18, 2005

Spina, Osborne-Miller, Asbury, Wilson and Lytle Declaration
AT&T's July 18, 2005 Comments in CG Docket 02-386

Verification

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.




Adam K. Asbury

July 18, 2005

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AT&T's July 18, 2005 Comments in CG Docket 02-386

Verification

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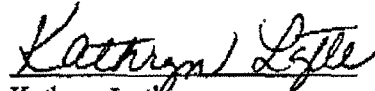

Noriko Wilson

July 18, 2005

Spina, Osborne-Miller, Asbury, Wilson and Lytle Declaration
AT&T's July 18, 2005 Comments in CG Docket 02-386

Verification

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.


Kathryn Lytle

July 18, 2005

Attachment B

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Rules and Regulations Implementing)	
Minimum Customer Account Record)	CG Docket No. 02-386
Exchange Obligations on All Local and)	
Interexchange Carriers)	

**DECLARATION OF SANDRA BUTLER BUCHANON
AND DENISE DECKER**

1. My name is Sandra Butler Buchanan. My business address is 412 Mt. Kemble Avenue, Morristown, New Jersey. I am employed as Regional Sales Manager by ACC Business, an AT&T "doing business as" sales channel selling AT&T local and long distance services. In my role as Regional Sales Manager, I oversee the sale of AT&T products by approximately 1000 contracted agents. I have been employed by AT&T in a variety of positions for approximately 21 years, including 16 years as a manager and 11 years in sales management.

2. My name is Denise Decker. My business address is 412 Mt. Kemble Avenue, Morristown, New Jersey. I am employed as an Agent Manager by ACC Business. In my role as Agent Manager, I support an outside agent team to assist in the sales and provisioning of AT&T Business local and long distance services. I have been employed by AT&T for approximately eight and one-half years, in both customer and sales support.

3. As part of our responsibilities, we provide support to AT&T outside sales agents to ensure that the proper arrangements are made to move a new customer's service from the customer's former carrier and establish the customer's local service with AT&T.

4. The purpose of this declaration is to describe difficulties AT&T has experienced in trying to migrate customers to AT&T local service from other Competitive Local Exchange Carriers ("CLECs"), and in particular, a recent extreme experience in moving a customer to AT&T's local service.

5. We have reviewed the Declaration of Joel Spina, Donna-Osbourne Miller, Adam L. Asbury, Noriko M. Wilson and Kathryn Lytle, dated July 18, 2005, filed in support of AT&T's Comments in this proceeding ("Spina Decl.") and concur that it accurately describes difficulties we have encountered in assisting in the migration of customers to AT&T from other CLECs.

6. In April, 2005, an authorized AT&T agent sold a business customer, located in New Jersey, AT&T local PrimePlex¹ service. Under the terms of the contract, AT&T agreed to provide the customer with T-1 based service, including service for 20 telephone numbers.

7. On April 11, 2005, AT&T submitted a request for the Customer Service Record ("CSR") to the customer's existing Local Service Provider, Cooperative Communications ("Cooperative") of Lyndhurst, New Jersey. Upon information and belief, Cooperative provides local service in New Jersey and Pennsylvania using a combination of its own network and services purchased from Verizon.

¹ AT&T PrimePlex is a T1 digital trunking service that integrates the voice, video and switched data capabilities of ISDN PRI (Integrated Switched Digital Network Primary Rate Interface) technology over the same platform.

8. Cooperative rejected AT&T's initial request, refusing to release the CSR without proof of a Letter of Authorization ("LOA") from the customer.

9. Although not legally required to provide the LOA, AT&T complied with Cooperative's demand in order to facilitate the customer's migration. Nevertheless, Cooperative once again rejected AT&T's request, citing the fact that AT&T's request failed to identify the proper billing telephone number ("BTN") for the customer's account.

10. Upon receiving the rejection, AT&T, through its sale agent, contacted the customer to determine the correct BTN. The customer contacted Cooperative but was unable to obtain specific information identifying the BTN. Instead the customer was advised to refer to Cooperative's billing statement for the BTN. As a result, the customer provided AT&T with a copy of Cooperative's billing statement.

11. During the following three weeks, AT&T submitted numerous additional requests for the CSR, identifying each of the customer's telephone numbers that could possibly be the BTN. Each successive request was rejected by Cooperative.

12. Unable to obtain any clarifying information from Cooperative, AT&T's sale agent encouraged the customer to escalate the issue with Cooperative. At that time, AT&T was told that Cooperative would only release the CSR if it received an "in person" consent from the customer. Further, AT&T learned that Cooperative had contacted the customer and scheduled an appointment to meet with the customer and obtain the consent to release the CSR.

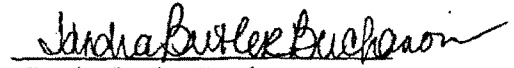
13. Anxious to move its local telephone service to AT&T, the customer met with a Cooperative representative to execute a new LOA and obtain Cooperative's CSR. At that time, Cooperative's representative attempted to "win back" the customer.

14. On June 6, 2005, almost two months after AT&T's original request, Cooperative faxed a document it identified as the CSR to AT&T. The document consisted of an unreadable and indecipherable 3 page spread sheet with unexplained redactions and illegible handwritten notes.

15. While the CSR did not indicated the arrangement Cooperative used to provide service to the customer, AT&T relied on other methods to determine that while Cooperative is the customer's Local Service Provider, Verizon is the customer's Network Service Provider. As of today, AT&T has not been able to obtain the information needed to submit an accurate Local Service Request to Verizon to initiate the migration. Therefore, the customer has not been able to move its local service to AT&T.

Verification

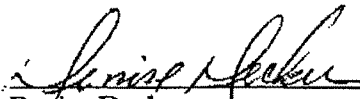
I declare under the penalty of perjury that the foregoing is true and correct.


Sandra Butler Buchanan

July 18, 2005

Verification

I declare under the penalty of perjury that the foregoing is true and correct.


Denise Decker

July 18, 2005

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Comments of AT&T Corp. was served by the noted methods, the 18th day of July 2005 on the following:

/s/ Hagi Asfaw
Hagi Asfaw

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